

LAW OFFICES OF MICHAEL K. CERNYAR
400 OCEANGATE · EIGHTH FLOOR · LONG BEACH, CALIFORNIA 90802
Telephone: 562/216-2940 · Facsimile: 562/216-2941

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2 400 OCEANGATE, 8TH FLOOR
3 LONG BEACH, CALIFORNIA 90802
4 TELEPHONE: (562) 216-2940
5 FACSIMILE: (562) 216-2941

6 **Attorney for Defendant, TIEN TRUONG NGUYEN**

7 **UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**

9 **UNITED STATES OF AMERICA,**
10 **Plaintiff,**
11 **v.**
12 **TIEN TRUONG NGUYEN,**
13 **Defendant.**

Case No. S-07-164-MCE
DEFENDANT'S PROPOSED VOIR
DIRE QUESTIONS
DATE: September 8, 2009
TIME: 9:00 a.m.
HON. MORRISON C. ENGLAND, JR

14 Pursuant to Local Rule 47-162, defendant TIEN TROUNG NGUYEN
15 ("Mr. Nguyen") respectfully requests the Court to include the
16 following voir dire questions in examination of potential jurors,
17 or in the alternative, allow counsel to ask these questions
18 pursuant to Rule 24(a) of the Federal Rules of Criminal
19 Procedure.
20

21 1. Have you or any family member ever been victim of
22 credit/debit card fraud?

23 a. If so, how did it happen?

24 b. If so, when did it happen?

25 c. Was the perpetrator prosecuted?

26 2. Do you know of any friends or acquaintances who have
27 been victim of credit/debit card fraud?
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- a. If so, how did it happen?
 - b. If so, when did it happen?
 - c. Was the perpetrator prosecuted?
3. Do you know of any friends, acquaintances or family members who have been a victim of gift card fraud?
- a. If so, how did it happen?
 - b. If so, when did it happen?
 - c. Was the perpetrator prosecuted?
4. Do you know of any friends, acquaintances or family members who have been a victim of ATM fraud?
- a. If so, how did it happen?
 - b. If so, when did it happen?
 - c. Was the perpetrator prosecuted?
5. Do you know of any friends, acquaintances or family members who have been robbed at an ATM?
- a. If so, how did it happen?
 - b. If so, when did it happen?
 - c. Was the perpetrator prosecuted?
6. Do you bank on-line?
7. Do you use a debit card or other forms of electronic payment? If so, how often?
8. Have you purchased items on-line in the past year? If so, how often?
9. Do you have any special computer training?

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- 10. Do you know of any friends, acquaintances or family members who are employed in the computer industry?
- 11. Do you know of any friends, acquaintances or family members who are employed in security?
- 12. Have you ever shopped at Wal-Mart? If so, how many times?
- 13. Do you understand the concept of reasonable doubt? If so, do you have a problem with the concept?
- 14. Do you understand that the Government must prove each element of the crime Mr. Nguyen is charged with committing beyond a reasonable doubt? If so, do you have a problem with the concept?
- 15. Do you understand that Mr. Nguyen is not required to testify in his own defense, or call any witnesses in his defense? If so, do you have a problem with the concept?

Respectfully submitted,
LAW OFFICES OF MICHAEL K. CERNYAR

DATED: September 2, 2009 By: _____/s/_____
MICHAEL K. CERNYAR
Attorney for Defendant
TIEN TRUONG NGUYEN